IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

WP(C).No. 18477 of 2007(Y)

PETITIONER:

MRS. MEERA BEEVI, AGED 68 YEARS, W/O ABDUL KARREM
KANELIL HOUSE, OKKAL P.O., PERUMBAVOOR

BY ADV. SRI.BABU KARUKAPADATH
SMT.M.A.VAHEEDA BABU

RESPONDENTS:
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1. **STATE OF KERALA , REP. BY PRINCIPAL SECRETARY**
DEPT. OF REVENUE, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM

2. **COMMISSIONER, LAND REVENUE**
THIRUVANANTHAPURAM

3. **DISTRICT COLLECTOR, ERNAKULAM**

4. **REVENUE DIVISIONAL OFFICER,**
MUVATTUPUZHA

5. **TAHSILDAR, KOTHAMANGALAM**

BY GOVT. PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/06/2007/ , THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO. 18477 OF 2007

DATED THIS THE 15th DAY OF JUNE, 2007

JUDGMENT

The petitioner's 'patta' has been cancelled for the reasons mentioned in Ext.P4 order. The petitioner's appeal before the Commissioner of Land Revenue challenging Ext.P4 was dismissed as per Ext.P7 order, against which the petitioner filed Ext.P9 petition before the Minister for Revenue of the Government of Kerala, which was forwarded to the Principal Secretary (Revenue) by Ext.P10 communication for appropriate action. In the meantime Ext.P11 notice has been issued to the petitioner directing him to vacate the property in question within twenty four hours. The petitioner challenges Exts.P4,P5,P7 and P11. However for the present the petitioner would be satisfied with a direction to dispose of Ext.P9 expeditiously and to stay further action pursuant to Ext.P11 till final orders are passed.

2. The learned Government pleader submits that Ext.P9 is only a representation submitted to the Minister and is not a statutory revision. He also points out that Ext.P9 is filed as a review petition. After hearing, I am not satisfied that the petitioner's petition should be rejected on such technical ground. Ext.P9 is stated to be against

Ext.P7 order. The same has also been forwarded to the appropriate authority by Ext.P10. Therefore, Ext.P9, notwithstanding that it is styled as a review petition and addressed to the Minister can be considered as a statutory revision under the Kerala Land Assignment Rules by the appropriate authority especially since it has been duly forwarded to the revisional authority as is evidenced by Ext.P10.

3. Accordingly, I direct the 1st respondent to consider Ext.P9 as a statutory revision under the Kerala Land Assignment Rules and pass appropriate orders thereon after affording an opportunity of being heard to the petitioner. Till disposal of Ext.P9 further proceedings pursuant to Ext.P11 shall be kept in abeyance and further proceedings shall only be in accordance with the orders to be so passed on Ext.P9.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

Acd